

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-11 are pending, of which claims 1, and 3 - 6 have been amended. The amendments to claims 1 and 3-6 are simply to provide clarification and/or to correct informalities noted by the Applicant, and are not to overcome prior art or any other objections. Support for the amendments can be found in the specification at least at pages 6-18, and in Figs. 3, 4 and 8.

Claim Objection(s)

Claim 1 is objected to as being non-idiomatic and claiming two components “collecting information associated with the mobile phone” and “a user associated with the mobile phone. Claim 1 has been amended to recite “collecting information associated with the mobile phone and collecting preferences of a user associated with the mobile phone”. Accordingly, claim 1 has been amended to distinctly claim the invention, and Applicant respectfully requests that the non-idiomatic rejection be withdrawn.

Claim 5 is objected to as being incongruous by its third paragraph reciting “wherein when said media is selected said image of said mobile phone previews said image on said mobile phone.” Claim 5 has been amended to recite “wherein when said configuration information is changed on the mobile phone by a mobile phone user, said configuration information pertaining to said mobile phone on said home page is correspondingly changed.” Thus, amended claim 5 distinctly claims the invention, and Applicant respectfully requests that the incongruous rejection be withdrawn.

1
2 **35 U.S.C. §102 Claim Rejections**

3 Claims 4-6 are rejected under 35 U.S.C. §102(e) as being anticipated by
4 U.S. Patent Application No. 2001/0012281 A1, to Hall et al. (hereinafter, "Hall")
5 (*Office Action* p.3). Applicant respectfully traverses the rejection.

6 **Amended Claim 4** recites

7 "a method of revising a home page by using a computer, the
8 home page displaying an image of an associated mobile phone,
9 comprising:

10 displaying on the home page mobile phone configuration
information and a corresponding image on the associated mobile
phone;

11 selecting, using the computer, configuration information for
transfer to the associated mobile phone;

12 when said configuration information is selected,
13 *automatically providing, without human intervention, the*
14 *configuration information to the associated mobile phone so that the*
15 *settings of the associated mobile phone is configured with the*
16 *provided configuration information."* (emphasis added)

17 Hall does not show or disclose *automatically providing, without human*
18 *intervention, the configuration information to the associated mobile phone so that*
19 *the settings of the associated mobile phone is configured with the provided*
20 *configuration information*, as recited in amended claim 4. Hall only describes
21 selecting applications on a first computer and transferring the applications to a
mobile phone.

22 The Office cites Hall for disclosing a virtual display on the mobile phone in
23 the web page, which "simulates the display on the mobile phone" (*Office Action*
24 p.5). Applicant provides configuration information which configures the settings
25

1 of the mobile phone". Configuration information is not an application and the use
2 of which is not disclosed in Hall.

3 Accordingly, amended claim 4 is allowable over Hall for at least the
4 reasons described above, and Applicant respectfully requests that the §102
5 rejection be withdrawn.

6
7 **Amended Claim 5** recites:

8 "A system for a user to modify a home page associated with a
9 mobile phone, comprising:

10 an image of said mobile phone and configuration information
11 pertaining to the mobile phone presentable at said home page; and

12 said mobile phone having a display for indicating
13 configuration information associated with the mobile phone and an
14 input device for changing the configuration information; wherein
15 *when said configuration information is changed on the mobile phone*
16 *by a mobile phone user, said configuration information pertaining to*
17 *said mobile phone on said home page is correspondingly changed."*
18 (emphasis added)

19 Hall does not show or disclose that "when said configuration information is
20 changed on the mobile phone by a mobile phone user, said configuration
21 information pertaining to said mobile phone on said home page is correspondingly
22 changed", as recited in amended claim 5. Hall only describes that changing
23 applications on the web page changes the applications on the mobile phone and
24 not vice-versa.

25 Accordingly, amended claim 5 is allowable over Hall for at least the
reasons described above, and Applicant respectfully requests that the §102
rejection be withdrawn.

1 **Claims 6** is allowable by virtue of its dependency upon claim 5.
2 Accordingly, the §102 rejection should be withdrawn.

3
4 **35 U.S.C. §103 Claim Rejections**

5 Claims 1-3 are rejected under 35 U.S.C. §103(a) for unpatentable over U.S.
6 Patent No. 6,295,291 to Larkins (hereinafter, "Larkins"), in view of U.S. Patent
7 Application No. US 2002/0107002 to Duncan et al. (hereinafter, "Duncan")
8 (*Office Action* p.5).

9
10 **Amended Claim 1** recites:

11 "A method of activating a mobile phone comprising:
12 collecting information associated with the mobile phone and
13 collecting preferences of a user associated with the mobile phone;
14 based on said information, preparing a home page for said
15 user that is accessible by a computing device and by the mobile
16 phone;
17 transmitting a mobile phone message to the mobile phone
18 based on the collected information, the mobile phone message
19 including configuration information operative to configure the
20 mobile phone to view the home page;
21 sending a message to said mobile phone providing an address
22 of said home page once the mobile phone is configured;
23 receiving a request comprising the address for the home page
24 from the configured mobile phone; and
25 *transmitting the home page to the configured mobile phone
such that when the configured mobile phone receives the home page,
the configured mobile phone uses the configuration information to
view the home page.*" (emphasis added)

21 Larkins and/or Duncan do not teach or suggest the combination of
22 feature(s) recited in amended claim 1. For example, Larkins and/or Duncan do not
23 teach or suggest "*transmitting the home page to the configured mobile phone such*
24
25

1 that when the configured mobile phone receives the home page, the configured
2 mobile phone uses the configuration information to view the home page”, as
3 recited in amended claim 1.

4 Larkins describes an over the air activation function that collects
5 information of a potential subscriber and programs the radio telephone with the
6 appropriate data. Larkins does not disclose sending an address of a home page to
7 access the web page. Dunkin discloses sending a message for the purpose of
8 viewing the web page. However, neither Larkins nor Dunkin describes using
9 configuration information to view the home page, as recited in claim 1.

10 Accordingly, claim 1 is allowable over the Larkins-Duncan combination for
11 at least the reasons described above, and Applicant respectfully requests that the
12 §103 rejection be withdrawn.

13
14 **Amended Claims 2-3** are allowable by virtue of their dependency upon
15 claim 1. Accordingly, the §103 rejection should be withdrawn. Additionally,
16 some or all of claims 2-3 are allowable over the Larkins-Duncan combination for
17 independent reasons. For example:

18 **Claim 3** recites “wherein the mobile phone is not initially configured to
19 view the home page, and wherein the method further comprises configuring said
20 mobile phone to view the home page based on said configuration information.”

21 Accordingly, claim 3 is allowable over the Larkins-Duncan combination
22 and the §103 rejection should be withdrawn.

1 **New Claims**

2 New claims 7 - 11 are presented for examination. Based on the above
3 discussion regarding Hall, Larkins and Duncan, claims 7 - 11 are also allowable.
4 Additionally, claims 7 - 9 are allowable by virtue of their dependency upon claim
5 1, and claims 10 - 11 are allowable by virtue of their dependency upon claim 5.

6
7 **Conclusion**

8 Pending claims 1 - 11 are in condition for allowance and Applicant
9 respectfully requests issuance of the subject application. If any issues remain that
10 preclude issuance of the application, the Examiner is urged to contact the
11 undersigned attorney before issuing a subsequent Action.

12
13 Respectfully Submitted,

14
15 Dated: 8/13/07

16 By: _____

17 Steven Stewart
18 Lee & Hayes, PLLC
19 Reg. No. 33,555
20 (206) 315-7909